

COMMISSIONERS APPROVAL

CHILCOTT *ap*

LUND *BL*

THOMPSON *at*

TAYLOR (Clerk & Recorder)

Date.....March 27, 2006

Members Present..... Commissioner Betty Lund and  
Commissioner Alan Thompson

Minutes: Glenda Wiles and Sally Fortino

The Board of County Commissioners met to review fees by the Engineering Firm of WGM. David Ohnstad, Roads and Bridges Department; and Karen Hughes, Planning Department were present, along with Kathleen Driscoll, Howard Anderson, Chip Pigman, and Ron Umera.

Commissioner Chilcott said they especially wanted to review fees, which were in excess of those discussed for the project.

David said procedures and policies were adopted to facilitate reviews of proposals and designs. There is a cost to that. Nothing has been found out of order; the Commissioners should be advised that review fees are in line with what was expected.

Karen said she has heard 'grumbling' that the costs of review are high. She has directed people to talk to the Road Department.

Commissioner Thompson said he understood from an engineer that the fees were upsetting to engineers and consultants. A stamp of approval <sup>from an engineer</sup> must be on the project. When a second engineer is sent out, they also issue a stamp of approval. In some cases, the County review costs more than the initial engineering. If you pay a state-licensed engineer to do a project, then the County sends in a second team that seems unnecessary. Maybe the County's review should be done on a different basis, one that doesn't cost as much or is not as extensive. The engineers are concerned when the review costs more than the initial project.

David said a peer review among professionals is a commonly accepted practice. He stated they met just after the adoption of design standards, which were adopted by the Board of County Commissioners, and determined this was appropriate. This is being done because the Board of County Commissioners asked us to implement this system. A

better system is slowly being developed. The scope of the project will determine the cost of review.

Commissioner Lund said an engineer designs the roads in a subdivision and gives the plat or design to the Planning Department, who sends them to the Road Department.

David said the initial review is made, the cost estimate given, it is reviewed for compliance, and a final inspection is made of the completed project. The Board of County Commissioners required each step.

Commissioner Lund asked if the original engineer has to do those things.

David said that is the expectation, WGM reviews for compliance.

Commissioner Lund thought WGM was supposed to check plans for gross error. She didn't know they did final testing.

David said they review for compliance, review work proposed and work completed. They review testing results by the developer, and then do a final walk-through. We are contracting that particular effort. These are not County roads, and will never be County roads and they are doing exactly as they said.

Commissioner Chilcott said everyone is covering their own liability. A consulting engineer's business depends on producing projects in compliance. Sometimes consulting engineers that do projects don't have the finances to cover inconsistencies in their designs. Now a second engineer checks plans. Maybe they shouldn't spend money to cover others' possible mistakes.

Karen said when the County addressed road regulations they determined the need for a consulting engineer to review plans because it required a person who understands AASHTO standards.

Commissioner Lund said she is okay with just a review, but it sounds like it's getting deeper than that.

Howard said preliminary design versus final design is what is being discussed. The final design has the road specs, which then go to construction. Whoever does the County review doesn't stamp plans. Review fees at two levels are greatly exceeding what is charged the client on the first go-around. He would welcome having his plans reviewed. Customers are upset with additional charges. He expects a simple review and has no problem with it.

Ron was a volunteer advisor to the Planning Department. Yet someone else must review his projects. The cost to the County was \$600-\$800. He welcomes AASHTO standards. He stated he has a problem with the review process. He has two projects for which he charged his clients \$600-\$800; then had to hire someone else to do a portion of the project, and reviews totaled \$2,500. Engineers are responsible to certify the work, but

now they are paying for two engineers. If the project were on a County-dedicated roadway it would make sense, but these are private roads.

Chip said he is doing two projects. When he hires a licensed engineer he gets their expertise, professional-quality work, and they certify and stamp plans. The present process indicates that each licensed engineer's work needs to be questioned, which costs more and is a longer process. Chip makes a margin of profit on everything he does, but it is the consumer who ultimately absorbs the costs and unnecessary costs price some people out of the housing market.

Commissioner Thompson said the general public pays if the developer doesn't. The cost of housing in the valley has risen.

Commissioner Chilcott said public hearings have made the public's concerns known; they are assured someone is looking over the shoulders of the developers to see that things are done properly and a quality product is the result, which is important.

Howard said WGM is doing projects on US Highway 93. Nobody is reviewing their design. Commissioner Chilcott said the State should be overseeing that project.

Ron said not all designed roads are large projects where costs can be divided among many buyers. He is working with a family that is giving a portion of land to the mother.

Commissioner Thompson said he read David's comments and felt they made sense. He envisioned the project would be engineered, and the engineer would follow through.

David said policies were written to facilitate the conveyance of information, and the initial designers' conformance with the plan. Review fees depend on the scope of the project and completeness of design. When designs are incomplete and go back for correction, they cannot expect that work to be done for free. The end result will be a better, more stable infrastructure, where standards are applied properly, and people know the road entering their yard is safe. He stated what they do provide is that the infrastructure is structurally stable and relatively safe.

Commissioner Thompson said the Road and Bridge Department is not qualified to do the reviews. People hired are competent and licensed to do the work. If the County must hire someone to review the initial work should they hire a third person review the second person's review? These are engineers who are State-licensed and put their stamp on the work. The reviews indicate we don't trust what they have done.

David said the Road and Bridge Department is qualified, but the job has no value to the Road and Bridge Department. There is no benefit to the road and bridge system. Should the Board of County Commissioners determine to do something else, it is their discretion.

Commissioner Chilcott said he has seen some benefits.

Howard said when Ron was reviewing for the Planning Department he would give meaningful comment, but they didn't take a great amount of his time. Kathleen said the developer takes on the costs of these plan reviews. She asked if the county can obtain other bids as she felt revisiting the issue is not a waste time. She asked if other engineers do random checking.

Chip said he understands the Board of County Commissioners' concern for public health and safety. His concern is the philosophy of having to check someone's work several times. He can choose to sue anyone whose work is inadequate. This is a double review.

Commissioner Chilcott said Howard's example demonstrates a reason for looking at the situation again.

Chip said the number of reviews doesn't eliminate the chance of a situation arising.

Commissioner Chilcott said the public holds the County to a higher standard.

Chip said he understands why the County doesn't allow him to design his own roads, as he is not a road engineer. You have to set the bar; it has to be a licensed professional. The County has to look after the public's interests. Has there been an issue with new roads in the last 5 years? Are new subdivision roads not being built to the standard?

David said you don't have to look very far to find roads that may have been to standard at the time they were built, but fail to be decent roads now. We need someone who has demonstrated quality, commitment, etc., to handle the given job. In a perfect world we wouldn't need checks and balances. There is diversity among professionals about meeting and/or avoiding standards. He is not questioning anyone, just verifying that the standards have been met.

Commissioner Lund said they were talking about the past. We now have AASHTO standards. Regulations used to be so difficult to interpret that many were done wrong. The market will weed out those who choose to do shoddy work.

David said they haven't been weeded out yet.

Ron said he has no problem with review by a consultant. He has a problem with the rates being charged. The rate should be a reflection of time spent. If he spends one day to do a design, WGM is charging \$900, a minimum of nine hours, for what? He is familiar with what has to be done.

Commissioner Chilcott said the complexity of the AASHTO standards dictated the County's need for a back-up review.

Ron said \$700 for a walk-through of final construction doesn't compute. Having been a consultant for many years, he questions their time.

Commissioner Chilcott asked if an itemized statement is presented with the bill. Ron said no, though he asks for a breakdown. He has to answer to the client. Commissioner Lund wondered if it is time for a County engineer.

Commissioner Thompson said the County is not paying for these services at this time.

Commissioner Lund said it might be time to put one on the County payroll.

Ron said if development is going to continue, and these fees are going to be normal, the Commissioners might need to consider a County engineer.

Commissioner Lund said it would have to be a self-supporting department.

Ron said the person could also work with the Floodplain director.

Howard said he has no problem with someone looking at his plans. It usually takes just two to three hours.

Commissioner Chilcott said he agrees, with the caveat that all information is there. If it has to go back and forth, that takes time. Maybe WGM is encountering that problem. They should itemize that in their billing.

Howard said one of the problems is the number of new contractors flooding the valley.

Ron said he met with two contractors beginning road jobs in the past week. He told them standards are much stricter now. Someone would be reviewing the work. Those days are over; there are new standards to follow: soil testing, etc. It must be certified that it is being done correctly.

Commissioner Thompson said existing options are: do nothing, repeal the policy, or add to what we have.

Commissioner Chilcott said he would like to consult with staff and consulting engineers, and find out specific data on this. He said it is doubtful that the engineers here charge what is charged by a firm large enough to handle what WGM is doing. That may be part of the reason for the disparity in rate structure. Finishing incomplete work would add to the charges.

Chip asked if they charge an hourly rate.

David said the charge for a principle engineer is \$120 per hour.

Chip asked why he pays more when he pays the County than when he pays them private companies.

Commissioner Thompson suggested getting copies of projects to review to clarify what is being considered.

Commissioner Lund asked if WGM bills come to the County or go directly to the client. Dave said they come to the County; he could provide a list.

Commissioner Chilcott suggested they get information from David and the billing department before scheduling another meeting. He asked if charges are increased if it is a government entity. David said there was not a great difference when they did the Request for Proposal.

In other business the Board met to review final plats for Illinois Bench and Broken Arrow Estates. Commissioner Lund made a motion to grant final approval to the Illinois Bench Subdivision, contingent upon the Surveyor's signature. Commissioner Thompson seconded the motion and all voted "aye". Commissioner Thompson made a motion to grant final approval to the Broken Arrow Estates. Commissioner Lund seconded the motion and all voted "aye".

In other business, Chairman Chilcott administered the Oath of Office to Charmell Owens as the Office of Emergency Management Deputy.

The Board took a tour of the Lee Metcalf Wildlife Refuge during the afternoon hours.

Commissioner Chilcott attended a Right to Farm and Ranch meeting during the evening hours.